

IN THE COURT OF COMMON PLEAS, PIKE COUNTY, OHIO

STATE OF OHIO,

Case No. 2019CR000068

PLAINTIFF,

JUDGE CHRIS A. MARTIN

vs.

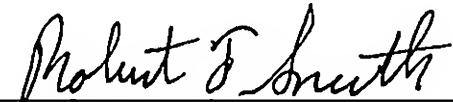
CHARLES S. READER,

NOTICE OF VIOLATION OF
NON-CONTACT ORDER

DEFENDANT.

Now comes the State of Ohio and give the Court and Counsel for Defendant of Defendant's apparent violation of this Court's previous Order not to contact witnesses for the State of Ohio in this matter.

Respectfully submitted,



ROBERT F. SMITH (0023434)
Special Prosecutor for Pike County
88 East Broad Street, Ninth Floor
Columbus, Ohio 43215
Direct: (614) 728-7100
Counsel for the State of Ohio

MEMORANDUM IN SUPPORT OF NOTICE OF VIOLATION

On August 15, 2019, investigators for the Auditor of State's office were made aware that Defendant had contacted a witness for the State of Ohio whose name had been provided to Defendant through his counsel at the time of his Arraignment on July 2, 2019 pursuant to this Court's Order to Defendant prohibiting him from contacting any of the State's witnesses. The

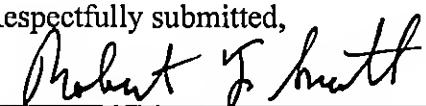
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SEP 12 2019
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PIKE COUNTY CLERK

information was that Defendant had contacted Frederic "Chip" Foill, whose name was on the witness list provided to Defendant.

On August 21, 2019, investigators for the Auditor of State's office interviewed Mr. Foill, who confirmed he had received a text message from Defendant. He did not respond to it initially, but did respond to a subsequent text from Defendant reminding him Defendant was not allowed to communicate with him (State's Exhibit #1). Mr. Foill provided screen shots of the texts from his cell phone (States Exhibit #2).

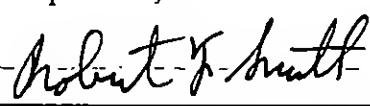
The State of Ohio submits that this constitutes a violation of this Court's previous Order.

Respectfully submitted,


ROBERT F. SMITH (0023434)
Special Prosecutor for Pike County

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true copy of the foregoing was served via email and ordinary U.S. mail, postage prepaid, to James T. Boulger, Counsel for Charles S. Reader, 45 West Fourth Street, Chillicothe, OH 45601, this 4th day of September, 2019.


ROBERT F. SMITH (0023434)
Special Prosecutor for Pike County

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OHIO AUDITOR OF STATE KEITH FABER



Special
Investigations

Report of Investigative Activity

On August 20, 2019, Auditor of State Chief of Investigations Mike Spiert and Investigators Diane Corey and Max Uhl met with Frederic "Chip" Foill along with his business partner, Kelly Seif at their business located at 201 E. North St., Waverly, OH.

Investigators asked Foill if he had been contacted by Sheriff Charlie Reader recently. Foill stated that he had and showed texts he had received from Reader in July 15, 2019. They read as follows:

9:32 am Reader: Miss you brother
1:51 pm Reader: Are you not speaking to me
2:21 pm Foill: I love to brother but I was told by the state I wasn't aloud too
Reader: Ok, you wasn't on my "no contact list" sorry..

Foill then forwarded the screenshot of his text on his phone (740)222-9041 to Kelly Seif's phone (740)222-0004. Seif then forwarded this screenshot to Inv. Corey.

Foill was instructed to notify AOS Investigators if there was any further contact attempted by Reader.

Inv. Corey had made contact with Foill on July 2, 2019, at 12:08 pm informing him of the gag order and no contact with witnesses order imposed by Judge Martin.

Sent from my iPhone

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PIAT-17

4/15/2019

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CASE #	DATE:
Authoring Investigator: Michael L. Spiert <small>Digital signature by Michael L. Spiert Date: 2019.08.21 09:15:05 -0400</small>	Supervisor Approval: Michael L. Spiert <small>Digital signature by Michael L. Spiert Date: 2019.08.21 09:15:17 -0400</small>

From: Michael L. Spiert
To: Robert E. Smith
Subject: FW: Foill contact with Reader
Date: Wednesday, August 21, 2019 9:17:48 AM
Attachments: image1.png
image1.png
image1.png

Michael Spiert
Chief of Investigations
Special Investigations Unit
Ohio Auditor of State

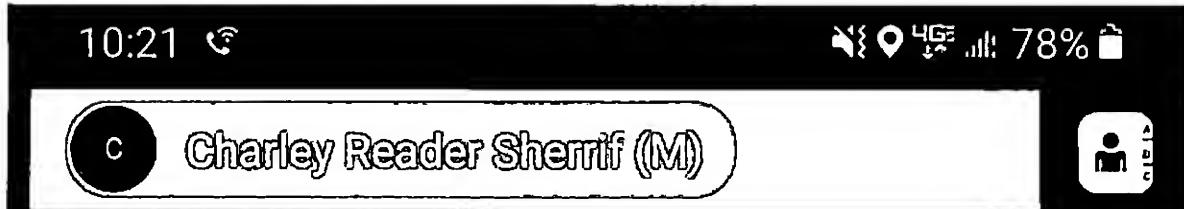
From: Diane M. Corey <DMCorey@ohioauditor.gov>
Sent: Wednesday, August 21, 2019 9:04 AM
To: Michael L. Spiert <MLSpiert@ohioauditor.gov>
Subject: Foill contact with Reader

On August 20, 2019, Auditor of State Chief of Investigations Mike Spiert and Investigators Diane Corey and Max Uhl met with Frederic "Chip" Foill along with his business partner, Kelly Seif at their business located at 201 E. North St., Waverly, OH.

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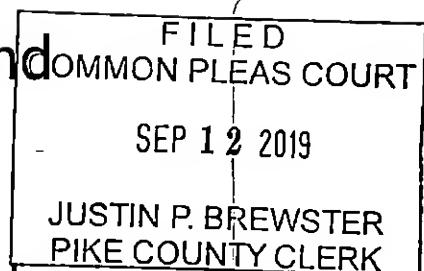
Foill then forwarded the screenshot of his text on his phone (740)222-9041 to Kelly Seif's phone (740)222-0004. Seif then forwarded this screenshot to Inv. Corey.



and I can pull it up to shop.

Also, when it dries out again, I would love to use the roll back and skid steer for a day.

I'm searching for s suspect vehicle now, I will try to catch up with you after bit



7/15/19 9:32 AM

| Miss you brother

7/15/19 1:51 PM

| Are you not speaking to me

7/15/19 2:21 PM

I love to brother but I was told by
the state I wasnt aloud too

Sent

| Ok, you wasn't on my "no contact
list" sorry..

+

Type a message...



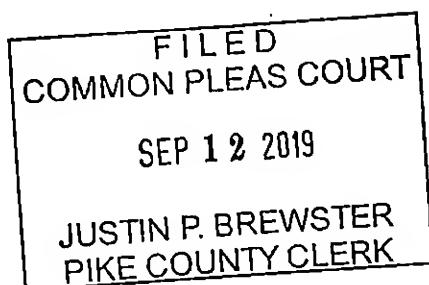
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Foill was instructed to notify AOS Investigators if there was any further contact attempted by Reader.

Inv. Corey had made contact with Foill on July 2, 2019, at 12:08 pm informing him of the gag order and no contact with witnesses order imposed by Judge Martin.





New Message Cancel

To: Foill

Text Message
Tue, Jul 2, 12:08 PM

This is Inv. Corey
from AOS. Judge
Martin issued gag
order for all
witnesses re social
media. So refrain
from any mention
of the case
against Sheriff
Reader on social
media.



Text Messa...



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SEP 12 2019
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Verizon LTE

9:00 AM

New Message

Cancel

To: Foill

media.

And Sheriff
Reader is not to
have any contact
with witnesses
without AOS
attorney and his.
So let us know if
that happens.

I dont do social
media

Yes I recall you



Text Messa...



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New Message

Cancel

To: Foill

attorney and his.

So let us know if
that happens.

I dont do social
media

Yes I recall you
said that. Just
making sure you
were aware as you
are on the witness
list. Thank you
again.



Text Messa...



Sent from my iPhone

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SEP 12 2019
JUSTIN P. BREWSTER
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Fax Call Report

HP LaserJet M4555 MFP

Page 1

Fax Header Information

Ohio Auditor of State
614-466-4516
Sep/04/2019 9:30:19 AM

Job	Date/Time	Type	Identification	Duration	Pages	Result
5183	Sep/04/2019 9:25:51 AM	Send	17409471729	04:26	9	Success

Sep/04/2019 9:26:29 AM Ohio Auditor of State 614-466-4516 1/9



FAX TRANSMITTAL COVER SHEET

To:	Pike County Clerk of Courts
Fax Number:	740-947-1729
From:	Cheryl Gray, Administrative Assistant
Date:	September 4, 2019
Total Number of Pages:	9 (Including Cover Sheet)
Notes	
<p>Re: SOH vs. Charles S. Reader Case No. 2019CR000068</p> <p>Please file the attached <i>Notice of Violation of Non-Contact Order</i> in the above-captioned matter. Original to follow via regular mail service.</p> <p>Please deliver a copy of the attached to Judge Martin.</p> <p>Thank you!</p> <p>IF THERE ARE ANY PROBLEMS WITH THE TRANSMISSION, PLEASE CALL Cheryl Gray @ (614) 728-7268</p>	

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